

# THE NEWS OF NORFOLK ON PAGES TWO, THREE, FIVE AND SIX.

## ROYAL BAKING POWDER

**ABSOLUTELY PURE**

Makes the food more delicious and wholesome

ROYAL BAKING POWDER CO., NEW YORK.

### COURT DECISIONS.

Notes of Cases Recently Decided,  
Which are of Interest to  
Our People.

DIGESTED BY W. B. MARTIN,  
(Exclusively for Virginian-Pilot.)

#### MALLISTER V. PURCELL.

Supreme Court of North Carolina,  
March 28, 1899.

A SECOND MORTGAGE TAKES  
PRECEDENCE OF AN UNREGIS-  
TERED MORTGAGE, EVEN  
THOUGH THE SECOND MORT-  
GAGE HAS ACTUAL NOTICE OF  
THE FIRST.

A CERTIFICATE OF THE AC-  
KNOWLEDGMENT OF HUSBAND  
AND WIFE TO A DEED IS NOT  
INVALID BECAUSE TAKEN BY  
AN OFFICER RELATED TO THEM.

This was an action to foreclose a mortgage by plaintiff and which had been duly registered. The defendant had executed a second mortgage to Worth & Worth, who claimed priority to plaintiff's mortgage because the officer who took the acknowledgment thereon was the brother of the husband and wife. There was a decree for plaintiff and Worth & Worth appealed.

The court says:  
Whether this made the registration of the first mortgage taken upon such acknowledgment void, is the vital question in this case; for if it did, no notice of the first unregistered mortgage, however full and explicit, would bind the second mortgage.

By virtue of the Code (section 1643), the promise of a deed by a clerk of the court, though upon an acknowledgment and duly examination taken by a justice of the peace, is void, if the clerk or his wife is a party to the deed, or a subscribing witness thereto. Long v. Greaves, 118 N. C. 23, holds that an acknowledgment and duly examination taken before a justice of the peace is a judicial act, or at least a quasi-judicial act, and that the same principle which invalidates an acknowledgment and duly examination before an officer who was a party, trustee, or cestui que trust in the deed, and the justice of the peace and the grantors resided within the county in which the acknowledgment and duly examination were taken, as was provided by the Code (section 1643), here is no principle of law, or precedent, which invalidates an acknowledgment and duly examination taken before an officer who has neither any interest in the instrument, nor is a party thereto, simply because he is related to the parties. Such proceedings are not void, and the acknowledgment and duly examination are valid in the nature of declarations made by the parties making them. The person claiming the acknowledgment is a stranger, certainly an officer and administrator on oath to a relative in an ex parte proceeding in which the officer is neither a party nor interested, and this is of no higher dignity. While the acknowledgment and duly examination of instruments where the parties thereto are nearly related to each other is no illegality attaching to his action.

The court below properly adjudged that in the decree of foreclosure the second mortgage must be subordinate to the first mortgage. Affirmed.

#### CARPENTER V. CAPITAL ELECTRIC COMPANY.

Supreme Court of Illinois,  
February 17, 1899.

WHERE ADJOINING LOT OWNERS  
ACQUIRED THEIR LOTS FROM  
THE SAME GRANTOR BY DEEDS  
WHICH RESERVED AN ALLEY IN  
THE REAR, THE ENTIRE ALLEY  
INURES TO THE USE OF THE  
ADJOINING LOT OWNERS ALONE.  
IN SUCH CASE ONE LOT OWNER  
CANNOT HAVE WIRES AND  
POLES RUN ALONG THE ALLEY  
TO FURNISH HIM WITH ELECTRIC  
LIGHTS, WITHOUT THE  
CONSENT OF ALL THE OTHER  
OWNERS; AND EQUITY WILL EN-  
JOIN SUCH USE OF THE ALLEY.

This was a suit in chancery by Carpenter and others, owners of a lot in Springfield, praying that the electric company be compelled to take down some wires, etc., extending over a private alley in rear of their lot. The lower court dismissed the bill and plaintiffs appealed. The tenant of the building adjoining appellants had requested appellants to introduce electric lights into his building, which was done, and the wires strung along the alley in rear of the property. The alley was created by a reservation made in the deeds to the lot owners, all from the same grantor, which reserved a strip of land in rear of said lots ten feet in width, "to be used as an alley."

The court says:  
The alley in the rear of the building of appellants is a private alley, created for the use of the appellants and of the owners of the two lots lying west of the lot of the appellants. The fee of that portion of the alley in the rear of the building of the appellants was in the appellants, as owners of the abutting property, subject, however, to the right of the property owners on the west to use the strip of land reserved for the purposes of an alley. The question then is, whether the appellee had the right to extend electric wires over the portion of the alley in the rear of the building of appellants, without the consent of appellants. The

taking possession of their land forcibly and against their will comes within the constitutional inhibition that private property shall not be taken or damaged without just compensation. When the strip of land in question was reserved in the original deeds for the purpose of an alley, it was intended for the ordinary purposes of passage and repassage, and not for the erection of any such permanent obstruction as the stringing of wires in the manner shown in the present record.

It is said by the appellee that equity has no jurisdiction to entertain the present bill. We regard this contention as without force. Where a party has a right of way over, or an easement in, certain real estate, and the same is obstructed, equity has jurisdiction, as the injured party has no adequate remedy at law. Moreover, the injury complained of is one of a continuing or permanent nature, for which an action at law would not afford a complete and adequate remedy. The decree of the Circuit Court is reversed, and the cause remanded to that court for further proceedings in accordance with the views herein expressed.

#### It Never Disappoints.

This is one of the peculiarities of Hood's Sarsaparilla. It cures scrofula, salt rheum, humors, stomach and kidney troubles, nervousness.

Hood's Pills cure all liver bile. Easy to take, easy to operate; reliable, sure, 25 cents.

#### A Veteran Hotel Man.

Col. E. G. Peyton, proprietor of the Intervent Hotel at Covington, and the Claremont at Charlottesville, where he is well and favorably known to all University students, is in the city. Col. Peyton is a veteran hotel man and is probably better known and more popular than any man in his business in the South. He was for years in charge of the Greenbrier White Sulphur. He owned and managed the one time celebrated hotel at Natural Bridge, Va., and only recently gave up the control of the Rockbridge Alum Springs, where hundreds of Norfolk people visit. The object of the Colonel's visit to Norfolk is to invite his old Alum friends to join him at the Intervent at Covington, which, being one of the late Southwest Virginia "boom" hotels is handsomely, if not almost gorgeously, equipped.

#### Lines for New Buildings.

City Engineer W. T. Brooke gave, during the month of May, lines for the following new buildings:  
Thomas Townsend, two brick dwellings, Mariner street.  
Sarah E. Ward, frame dwelling, Botsford street extended and Olney Road.  
J. C. Roberts, six brick dwellings, Henry street.  
Jas. T. Nottingham, two brick dwellings, Denby street.  
S. L. Nussbaum, frame store, corner of Queen and Granby streets.  
Mary E. Hickman, frame dwelling, Reservoir avenue, Brambleton Ward.  
M. S. Hall, frame dwelling, Wiloughby avenue, Brambleton Ward.  
Joseph Salomonsky, brick store, Granby street.  
George Williams, frame dwelling, Church street.

#### An Early Morning Fire.

The alarm from box 121 shortly after 7 o'clock yesterday morning carried the department to Nos. 96 and 98 Fen-church street where a small blaze was issuing from the shingle roof of a brick kitchen in the rear. The flames were extinguished by the chemical engine. The property is owned by Mr. James O'Tourke and was occupied by colored people. The damage was slight.

#### Reports Exaggerated.

Gentlemen from Princess Anne county yesterday stated that the reports which reached this city Tuesday about the crime imputed to Swartz, the Hebrew peddler, were greatly exaggerated. There was not at any time any real danger of lynching. The people residing in the immediate vicinity of the Coraway home understood the situation better than remote residents and were determined that the law should take its course.

#### Strawberry Festival in Princess Anne.

A strawberry festival was given at Little Creek Baptist Church, Princess Anne county, Tuesday night, by the ladies of that congregation. There were between 25 and 30 visitors from Norfolk, who went there in conveyances. On the arrival of some of the Norfolk people at the church some little excitement was caused by a mule hitched to a large wagon running away. However, no damage was done.



**TO TENDER-SKINNED MEN**

Shave with CUTICURA SHAVING SOAP, and before cleansing the face rub on a bit of CUTICURA Ointment, the great skin cure. Wash off with CUTICURA TOILET SOAP and HOT WATER. This simple, inexpensive treatment will make shaving a pleasure and comfort to those with tender, inflamed, easily irritated skin.

Sold throughout the world. POTTER D. AND C. CO., Sole Fringe, Boston. "All About the Skin," Free.

### BRIEF ITEMS OF INTEREST.

The Right Rev. Alfred Magill Randolph, Bishop of the Diocese of Southern Virginia, will visit Bruton P. E. Church, Williamsburg, next Sunday morning for the purpose of administering the rite of confirmation.

The managers of the Boys' Home will hold an important meeting this evening at 5 o'clock.

Mr. R. L. Leary, publisher of the Blackwater Courier of Franklin, Va., is in the city.

Mr. W. A. Stimpell is visiting friends at Raleigh, N. C.

Mr. and Mrs. Capt. E. M. Simmons have changed their place of residence from Campostella to Brambleton avenue, near Park.

Mr. D. Y. Hornberger, auctioneer of the McCleary-McClellan Live Stock Co., left last night for Harrisburg, Pa., where he will conduct a big horse sale to-morrow.

The Norfolk Sanitary Commission will hold its final meeting this afternoon.

Yesterday was the last day of spring and brought us genuine summer weather.

The fountain in the City Hall square is to be put in thorough repair and painted.

Rev. G. W. Lawson conducted divine service at the First Presbyterian Church last night in the absence of the pastor, Rev. Edward Mack.

The ladies of Park Avenue Baptist Church will give an excursion to Virginia Beach to-day.

During the month of May Clerk Royce issued 37 marriage licenses—11 for white and 26 for colored couples.

The Infant Sanitarium at Virginia Beach opened this morning, with Dr. William A. Harris as physician in charge.

The U. S. monitor Amphitrite has sailed, supposedly to the League Island navy yard, for repairs.

Mr. W. H. Davis is having his building at the corner of Roanoke avenue and Elizabeth street remodelled. He will put in a new lower front.

Alexander Byrd, colored, aged 57 years was adjudged a lunatic yesterday, and will be held at the Central State Hospital authorities at Petersburg.

The inquest in the case of James Gunter, who died at St. Vincent's Hospital last Thursday from injuries received at Little Creek water works improvements, was again postponed yesterday, and on account of absent witnesses, as heretofore.

Several ladies from Norfolk purpose attending the Grand Encampment of United Daughters of the Confederacy at Echo Park, near Washington, next Wednesday.

The British steamship Glengoil, bound to Newport News for 150 tons of bunker coal, anchored at quarantine Tuesday evening, where she will have to remain for five days. The Glengoil has aboard 3,250 tons of barley from Vera Cruz, Mexico, for Bristol, England.

Mr. W. Charles Snead, of Havana, Cuba, was the guest of the Atlantic Hotel yesterday.

Rev. Father J. J. Bowler, of Falls Church, Va., and Rev. Father P. J. Quinn, of Goldsboro, N. C., who have been the guests of Rev. Father T. J. Wilson, of the Sacred Heart Catholic Church, for the last two days, left last evening for the Washington steamer.

There will be a meeting of the Third Ward Democratic Club to-night.

A concert will be given to-night at Cumberland Street M. E. Church, South, by Miss Bessie Crider's Sunday school class. A silver offering will be solicited at the door for the benefit of missions. Everybody is invited to attend and help a good cause.

Messrs. Pease, Jones & Co. will close their store, commencing to-day, at 7 o'clock, and will continue to close at that hour until July 15th. From July 15th until September 15th they will close at 6 o'clock, thus affording their clerks a little time and recreation, for which they are very thankful. A paper is in circulation requesting other merchants to do likewise. There is said to be some opposition to this, however, by some Norfolk storekeepers.

Mr. W. H. Baker, night clerk at the Chamberlin Hotel, Old Point Comfort, called on Norfolk friends yesterday.

Mr. Theo. A. Jasper, of New York, Southern manager of Halber Bros., one of the highest literary geniuses of the East, is spending a few days in Norfolk, accompanied by his wife. He is a brother of Lieutenant Commander R. T. Jasper, U. S. N.

Mr. Grayson Barruss, wife and child, of Baltimore, are spending a few days in Norfolk.

The Ocean View Hotel will open to-day for the season.

Cards have been issued to the marriage of Miss Lucy Chapman Talbot, of this city, to Mr. Edmund Lorraine Talbot, of Richmond, the ceremony to take place at the residence in Freemason street on the evening of June the 8th.

Mr. J. Wilbur Stokes is steadily improving at St. Vincent's Hospital. It will be some time yet before he will be able to leave, but his improvement, while slow, is encouraging.

### BRAMBLETON WARD.

The Busy Bees of Spurgeon Memorial Baptist Church will meet with Miss Annie McCabe, No. 219 East Brambleton avenue.

The Ladies' Union of Park Avenue Baptist Church will go on an excursion to Virginia Beach to-day.

Good progress is being made on the sewers by the contractors. They are at work on Wiloughby, Brown, Park and Lovitt avenues. The excavation for the pumping station at the corner of Brambleton and Kelley avenues is very much retarded on account of the quicksand and heavy flow of water. The contractors, however, expect to lay brick to-day.

The Norfolk City Railway Company have heeded the request of the local board by placing summer cars on the East Main street and Park avenue lines, and new cars on the Brambleton avenue and Queen street route.

An ice-cream festival will be held at the foot of Claiborne avenue to-night for the benefit of St. Peter's P. E. Church.

Mrs. M. H. Holland and her son, Meredith, of No. 201 West Highland avenue, left last evening on a visit to relatives and friends in the North.

The Inasmuch Circle of the King's Daughters will meet at Mrs. M. Gordon's, on Rose avenue, at 4 o'clock this afternoon.

Miss Rena Moses, of Windsor avenue, has returned from Baltimore, Md., having completed a course of music at Peabody Conservatory.

The revival at McKendree M. E. Church continues to grow in interest.

A beautiful wedding was celebrated last evening at the parsonage of the Park Avenue Baptist Church, the contracting parties being Mr. Flemming H. Hay, of Richmond, and Miss Evelyn Goode, of Norfolk.

The room is a popular young business man of Richmond, while the bride is the daughter of Mr. Robert Goode, for many years a prominent citizen of this city.

The ceremony was performed by the Rev. J. J. Hall, D. D. The parsonage was tastefully and beautifully decorated with palms, ferns and flowers in honor of the event.

Mrs. Corn Ashburne presided at the piano, and many guests were present to witness the nuptials and extend their congratulations to the happy couple.

Whenever you have that tired feeling and feel like you want something refreshing, just drop in at Turner's, corner Park and Brambleton avenue, and try a glass of cold soda water, made from pure fruit juice. Diggs' delicious pine-apple snow always on hand—none like it.

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### ATLANTIC CITY WARD.

The Library Committee of LeKies Memorial M. E. Church will sell Baltimore ice-cream at the W. C. T. U. Hall Friday night. In addition there will be a musical program, consisting of both instrumental and vocal solos, duets, quartettes, etc. The public is invited to attend and spend a pleasant evening.

The third quarterly conference of LeKies Memorial M. E. Church was held last night. The financial exhibit of the church was very gratifying.

It will be a pleasure to the friends of Miss Scotia White, who has been ill so long, to learn that she is convalescing.

The Junior Society of Christian Endeavor of Colley Memorial Church will give several lawn parties in the near future.

### BENEFIT OF MISSIONS.

ENTERTAINMENT OF MRS. MILLER'S SUNDAY SCHOOL CLASS.

At the home of Mr. James L. Belote, 299 Bank street, an entertainment was given last night under the auspices of Mrs. George Miller's Sunday school class of Cumberland Street M. E. Church. The parlors of Mr. Belote's residence were well filled with Portsmouth and Norfolk people to hear the excellent talent from these cities in the rendition of the several numbers of the program.

These numbers were chiefly solos, vocal and instrumental, and recitations. The contingent of Portsmouth talent rendered the first part of the program, consisting of a string duet by Messrs. Sheeman and Hanselman, a duet by Miss Wallace and Miss Williams, a piano solo by Miss Fentress and a recitation by Mr. Watson. These numbers were rendered in such a manner as to win approbation and an encore was called in each case. Mr. Watson responded to an encore and recited a humorous piece in the dialect of the "Federalist." The company was made to feel much indebted to Mr. Watson for his two recitations, which were entertaining not only because of their humor and faithful imitation of interesting dialects, but also because of the facial portrayal.

The other numbers were a solo by Miss Barrett, a recitation by Mr. Fentress and a vocal solo by Miss Ewell. These, as well as the others, were well rendered.

After the program was over refreshments were served. The entertainment was for the benefit of the Missionary Society of Cumberland Street Church in the advancement of mission work.

### At Norfolk College.

The series of anti-commencement exercises of the Norfolk College will begin to-night, and a recital and social will be held at the college every night until the commencement proper, next Thursday night. The juniors reception to the seniors will be given to-night.

### Not Known in Norfolk.

The man Robert Nugent, arrested in New York on suspicion of knowing something about the abduction of Baby Clark and claiming to have lived in Norfolk, is not known here. At least, diligent inquiry yesterday failed to unearth anybody that had knowledge of him.

### Early Closing Movements.

For some time the clerks in the retail stores of Norfolk have endeavored to secure the early closing of stores, more especially during the heated term.

The efforts of the Retail Clerks' Association have been successful, and the leading merchants of Norfolk have agreed to close their places of business at 7 p. m., except on Saturdays, and during the month of December.

### DEATHS AND FUNERALS.

#### MRS. CELESTINE L. WOODWORTH.

The many friends of Mrs. Celestine Lillian Woodworth, wife of Mr. A. L. Woodworth, will learn with sorrow of her demise, which occurred at her residence, No. 390 Lovitt avenue, at 10:54 a. m. yesterday morning after a protracted illness, which she bore with Christian fortitude and resignation. The deceased leaves, besides a husband, three children, a son and two daughters. Mrs. W. S. Woodworth, attorney at law; Mrs. Henry L. Moore, and Mrs. Charles M. Gardner, of this city. The funeral will be held from the residence this afternoon at 5 o'clock.

#### MR. W. J. TATUM.

Mr. W. J. Tatum departed this life at the residence of his brother-in-law, Mr. W. D. Sawyer, No. 11 East Highland avenue, at 5:20 p. m. yesterday, after an illness of four weeks, aged 47 years. The deceased was a native of Prince George county, Va., but had resided in Norfolk for three years. The funeral will be held at the grave in Magnolia Cemetery, Berkeley, at 4 o'clock this afternoon.

#### MISS SUE A. SCOTT.

Miss Sue A. Scott died at the residence of Mr. A. O. Trower, Old Point Comfort, Va., Tuesday, May 30th. The obsequies will be held from H. D. Overy's funeral apartments, No. 520 Freemason street, at 11 o'clock this morning.

#### BEATRICE L. MURDEN.

Mr. and Mrs. B. F. Murden, of No. 21 Clay street, lost by death at 10 o'clock last night their interesting three-year-old daughter, Beatrice L. Murden. The funeral will take place from the residence at 5 o'clock this afternoon.

#### Shipping Notes.

Tug Asher J. Hudson arrived from Chincoteague yesterday in tow of tug Rescue, and examination of her boiler shows small damage done. She went on Graves' railway for repair, and while there will be thoroughly overhauled.

The barge Bowen is at Graves' railway for overhauling and painting.

Captain John A. Marshall of the schooner Charles T. Strann is at St. Vincent's Hospital from a slight attack of nervous prostration. A few days' rest and quiet will set him to rights.

### OTHER LOCAL ON PAGE 6.

#### DOING GOOD EVERYWHERE.

#### A Medical Discovery that Effectually Cures Piles in Every Form.

For many years physicians have experimented in vain, seeking a remedy which would effectually cure piles and other rectal troubles, without resorting to a surgical operation. Many remedies were found to give temporary relief, but none could be depended upon to make a lasting, satisfactory cure.

Within a recent period, however, a new remedy, the Pyramid Pile Cure, has been repeatedly tested in hundreds of cases and with highly satisfactory results.

The first effect of the Pyramid Pile Cure is to instantly remove the pain and irritation generally present and from that time on the cure rapidly progresses and before the patient is hardly aware of it he is entirely cured. The remedy seems to act directly on the nerves and blood vessels of the parts affected as it comes into direct contact with them and sets up a healthy action, which in a perfectly natural way brings the parts to their normal condition.

The remedy does its work without any pain or inconvenience to the sufferer and is justly considered one of the most meritorious discoveries of modern medicine.

Piles is one of the most annoying and often times, dangerous diseases with which humanity is afflicted. If neglected it frequently develops into fistula, or some equally fatal or incurable trouble, whereas by the timely use of this simple but efficient remedy, one need suffer a single day from any form of piles unless they want to.

The Pyramid Pile Cure is perfectly harmless, containing no mineral poisons and is absolutely safe in price, containing but one dollar a package. It is sold in drug stores everywhere. The manufacturers of the remedy are the Pyramid Drug Co., of Montreal, who have placed this excellent preparation before the public only after giving it thorough and repeated tests in the hands of reputable physicians. The result in hundreds of cases have convinced us that it will not disappoint you.

### Pronounced Incurable

### By His Physician.

### Cured by Dr. Firey's

### Treatment.

"When I returned from Ft. Thomas last spring I found that the typhoid fever had left me with A BAD STOMACH TROUBLE. Upon consulting a physician I was told that I HAD CATARRH OF THE STOMACH AND MY TREATMENT WAS PRONOUNCED INCURABLE. I then went to Dr. Firey and placed myself under his treatment and after a few months I WAS CURED AND AM NOW ENJOYING GOOD HEALTH, and I take pleasure in recommending anyone troubled with Catarrh to Dr. Firey. IT WAS A GREAT EFFORT FOR ME TO BE IN BED AT NIGHT FOR IT SEEMED AS THOUGH I COULD NOT GET MY BREATH and my nerves were in such a state I would jump at the least sound. SINCE I HAVE TAKEN DR. FIREY'S TREATMENT WITH DR. FIREY I AM A DIFFERENT MAN AND FEEL AS THOUGH I HAD A NEW LEASE ON LIFE. I advise anyone suffering with nervous troubles or stomach trouble to go and get treatment with Dr. Firey. I am willing to talk with anyone who is suffering with any trouble like mine. I CANNOT STATE MY FEELINGS TOWARDS DR. FIREY AND HIS BETTER THAN TO WISH THAT MANY WHO SUFFER AS I DID MAY GO TO HIM AND THAT HE MAY CURE THEM AS HE DID ME."

CHAS. O. PENDLETON,  
No. 103 Duncan Avenue, Ghent,  
Norfolk, Va.

*L. B. Firey, M.D.*

Has offices 1 and 2 No. 311 Main street, Norfolk, Va. Specialties: Catarrh of the Bladder, Stomach, and Bowels, and Stomach.

Hours, 9 a. m. to 12:30 p. m.; 2 p. m. to 6:30 p. m. Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday, 12:30 p. m. to 5 p. m. Consultation always free. Medicines furnished. Terms always moderate. Eyes examined for glasses free of charge.

## At Saks' To-Day!

## We Have a Reason

For the reduction sale we hereby announce in our Boy's Knee Pants Department. We're willing for you to know it—too large a stock—unnecessitated by the enormous varieties we handle. A day's heavy selling will reduce this surplus; so beginning to-day, we will offer every pair Boy's Knee Pants in the house, marked 65c., 75c., 85c. and \$1.10 at

**50c.**

You mothers who have not seen our Children's Department, can't realize what a gigantic offering this is.

## The Men's \$7.50 Suit

## Sale Continues To-day.

## SAKS & COMPANY

## SPECIAL

## FINE

## WHITE P. K.

## SKIRTS,

## \$1.00.

## BENJ. LOWENBERG,

## Columbia Building,

## Granby Street.

## White P. K.

## Skirts and Suits.

## Never have we had such

## charmingly trimmed Skirts as

## these before. Four rows of

## dainty trimming run down

## either side the skirt in a most

## artistic manner; and separating

## and surrounding 10 dia-

## mond shaped openings. The

## price of this wide welt P. K.

## Skirts is \$4.98. Other styles

## \$5.50, and down to \$1.50.

## A charming P. K. Suit trim-

## med stylishly, eton jacket

## heavy welt P. K., \$4.69. Its